Claims 1-26 are pending. Minor editorial changes have been made to Claims 1-11, such as capitalizing the word "Claim". Claim 1 has been amended to recite a culturing and selection step and a plant regeneration step. Support for this amendment is found throughout the specification and the original claims, e.g. on pages 23-26 of the disclosure and original Claims 1-2. Support for the term *CKI1* appearing in Claims 5, 10 and 26 is found *inter alia* in the paragraph bridging pages 11-12 of the disclosure. Accordingly, the Applicants do not believe that any new matter has been introduced.

CONCLUSION

In view of the above amendments and remarks, the Applicants submit that the claims are now ready for early examination on the merits.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

Norman F. Oblon Attorney of Record

Registration No.: 24,618

Thomas M. Cunningham, Ph.D.

Registration No.: 45,394

TEL: 703-413-3000 FAX: 703-413-2220

NFO:TMC:ksh

I:\atty\Tmc\206445-PrelAmend.wpd

22850

Docket No. 206445US0CONT

Marked-Up Copy
Serial No: New Apply
Amendment Filed on:
05-08-01

MARKED-UP COPY OF CLAIMS

- --1. (Amended) A method for introducing a gene into a plant, which comprises:
- (A) introducing a gene into a plant cell using a vector [containing] comprising an adventitious shoot redifferentiation gene as a selectable marker gene under the control of a light-inducible promoter, and
- (B) culturing said plant cell into a tissue and selecting a transgenic tissue expressing said adventitious shoot redifferentiation gene, and
 - (C) regenerating a plant from said transgenic tissue.
- 2. (Amended) The method according to [c]Claim 1, [which further comprising selecting a] wherein said transgenic tissue is selected using, as an index, morphology of an adventitious shoot redifferentiated by expression of the adventitious shoot redifferentiation gene [which is the selectable marker gene] which has been introduced into the plant cell.
- 3. (Amended) The method according to [c]Claim 1, wherein the light-inducible promoter is a promoter of a ribulose 2-phosphate carboxylase small subunit gene.
- 4. (Amended) The method according to [c]Claim 1, wherein the adventitious shoot redifferentiation gene is a cytokinin-related gene.
- 5. (Amended) The method according to [c] Claim 4, wherein the cytokinin-related gene is a CKI1 gene [an *ipt*, isopentenyl transferase, gene which is present in a microorganism belonging to the genus *Agrobacterium*].
- 6. (Amended) A vector for introducing a gene into a plant, [which comprises] comprising a desired gene, an adventitious shoot redifferentiation gene as a selectable marker gene under the control of a light-inducible promoter, and a removable DNA element, wherein+the selectable marker gene is positioned such that it behaves integrally with the removable DNA element, and wherein the desired gene is positioned such that it does not behave integrally with

the removable DNA element.

- 7. (Amended) The vector according to [c]Claim 6, wherein the selectable marker gene is present within the removable DNA element.
- 8. (Amended) The vector according to [c]Claim 6, wherein the light-inducible promoter is a promoter of a ribulose 2-phosphate carboxylase small subunit gene.
- 9. (Amended) The vector according to [c]Claim 6, wherein the adventitious shoot redifferentiation gene is a cytokinin-related gene.
- 10. (Amended) The vector according to [c] Claim 9, wherein the cytokinin-related gene is a CKI1 gene [an *ipt*, isopentenyl transferase, gene which is present in a microorganism belonging to the genus *Agrobacterium*].
- 11. (Amended) The vector according to [c]Claim 6, wherein the removable DNA element is derived from a site-specific recombination system.--

Please add new Claims 12 - 26.

- --12. (New)
- 13. (New)
- 14. (New)
- 15. (New)
- 16. (New)
- 17. (New)
- 18. (New)
- 19. (New)
- 20. (New)
- 21. (New)
- 22. (New)
- 23. (New)

- 24. (New)
- 25. (New)
- 26. (New).--

22850